

SPEECH OF HON. J. R. GIDDINGS,

ON THE

REFERENCE OF THE PRESIDENT'S MESSAGE.

Made, December 9, 1850, in Committee of the Whole on the State of the Union.

MR. GIDDINGS said, that from the commencement of the Government, it had been the practice to discuss the political character of the President's Message, on motion to refer it to the several appropriate committees.

I am (said he) the more anxious to avail myself of the present occasion to speak of that portion which relates to our domestic policy, in consequence of the rumors which inform us that the present Fugitive Law is not to be repealed or discussed at this session of Congress. That portion of the Message which relates to our domestic policy will be read with great interest throughout the country; and while I agree with a portion of the Message, there are embraced in it some matters which I am unwilling should go to the country tacitly endorsed by my silence.

For the frankness and candor with which the President avows his positions upon the most interesting questions now agitating the public mind, I tender him my thanks. It was due to himself, to his political friends, and to the country, that his views on these questions should be distinctly avowed; that the nation should understand distinctly whether he is *for* or *against* this Fugitive Law, now so odious throughout the free States.

Before I go farther, I wish to say, that I heartily approve the doctrine which the President lays down respecting the exercise of his veto power. I regard it as the doctrine of the Constitution. It is true, however, that it overthrows and wholly discards the avowed policy of the party which elected him. That party avowed its doctrine to be, that the veto power should never be exercised, except when the bill presented for the President's approval was *clearly unconstitutional*.

This doctrine the President repudiates, and goes as far in the support of that prerogative as Jackson, or Tyler, or Polk. I approve this independence, this casting aside the trammels of party. I am now curious to see how many of those friends will turn round and go with the President in this change of doctrine.

But, by looking at the latter part of the Message, it becomes evident that the President intends the country shall understand that he will veto any bill for the repeal of this Fugitive Law. To do that, while holding to the doctrines on which he was elected, would have been palpably inconsistent. In order, therefore, to make a show of consistency, he must first repudiate this important doctrine of his party. As to the morality of this deception, I forbear to make any remarks.

The boldness with which the President avows his friendship to the Fugitive Law, is not only commendable, but should entitle him to the thanks of the whole North, as well as of the whole South.

When the vote was taken upon that bill, there was found north of Mason and Dixon's line only *three Whigs* in this body who possessed the moral courage to meet the odium of voting for its passage. From the day of that vote, until the reading of this Message, the Whig press of the North, with nearly unanimous voice, repeated and reiterated this fact, in order to exonerate their party from the odium of that measure, and to place the responsibility of its enactments upon their political opponents. The Message meets and exposes this unmanly subterfuge, and boldly defies the odium attached to this measure. A short time will determine how many Northern Whigs will now face about at the bidding of the Executive, and share with him the unenviable fame of sustaining and continuing an enactment which is a libel upon all that is called *Law*. These changes, sir, may prove inconvenient to the younger members of the party—to those who have had but little experience; but to those who have been accustomed to follow the leaders of that party, these political summersets must have become familiar.

Most of our Whig editors of the North have assured their readers that the feelings, and conscience, and judgment of the President were opposed to this Fugitive Law. This Message will teach them that he thinks his own thoughts, and speaks his own wishes, and acts upon his own judgment; and that it is for them to turn round and swallow their words, and go in for a continuance of this law, which they have so loudly denounced, or they will be read out of the party.

Sir, had the President avowed his desire for the passage of this Law, prior to his election in 1848, how many votes, think you, he would have received in the free States? I think they would have been few. At that time, he was represented as a friend of Freedom, a supporter of Northern rights, and devoted to the Cause of Humanity. Upon these principles he was sustained in the North. But no sooner were the clouds adjusted upon the grave of his predecessor, than we were informed that he had abandoned every doctrine in relation to Slavery which his party had maintained pending his election. He adopted the entire programme of measures announced in the Senate by the present Secretary of State, on the 7th of March last. His influence was exerted

for the delivery of some fifty thousand square miles of free territory to Texas and to Slavery—to pay Texas ten million dollars, to hire her to abstain from driving our army from our western territory, and from dissolving the Union. He was in favor of the passage of laws to organize Governments in our Territories, without excluding Slavery; and he was in favor of this Fugitive Law.

No man had ever come into the Presidential Chair, who so unceremoniously cast aside and repudiated the important pledges of his friends and his party. No public man of high standing, from the free States, has so suddenly and so boldly abjured the Cause of Freedom, and, before the world, pledged fealty to the Slave power, saving and excepting his Secretary of State, whose counsels he appears to have adopted.

But in this boldness, the manly frankness with which the President announces this change of position, and tacitly calls upon his former friends to follow him, may teach us the propriety of hereafter understanding the principles of our Presidential candidates *before* we vote for them, rather than undergo the mortification of those party changes and countermarchings. The public will watch with much interest to see how many of his party friends will change their position, in order to stand with him in favor of this Fugitive Law, and of Slavery.

The President informs us that the Constitution has made it his duty to "*take care that the laws be faithfully executed.*" All are aware that such is made his duty. But how has he performed it? He has seen the mails violated in South Carolina and other States, robbed of newspapers which do not suit the taste of their people, and the laws of Congress held in contempt and trampled upon. This is done by his own officers, who hold their appointments at his will; but, sir, has he ousted such men from office? We have yet to learn that he has even reproved them, much less has he hinted at these things in this Message. He sees the free colored citizens of New England, and indeed of nearly all the free States, seized, imprisoned, and sold into bondage, by Southern men. He is aware that hundreds and perhaps thousands of free born Northern citizens now pine in Southern chains; he witnesses this transcendent outrage upon the Laws, upon the Constitution, and upon Humanity, in perfect silence; he does not even hint at their existence. He has seen the agents of Massachusetts driven by mob violence from South Carolina and Louisiana, when sent there to sustain the legal rights of the citizens of that State now held in slavery. He knew that no Northern State nor individual could rescue those citizens from the chains of servitude. Upon outrages, more aggravated than any that have ever occurred under this Government, he makes no comment. Sir, the House and the country must see that the only sympathy exhibited in the Message is for Slavery—he has none for Freedom. He recommends us not to repeal the Fugitive Law, but recommends no law to sustain the liberties of our own people, or to redeem those freemen who mourn in Southern bondage; still he assures us that, "in our domestic policy, the Constitution shall be his guide," and that "*he regards all its provisions as equally binding.*" That this declara-

tion is entirely erroneous is too obvious to require further exposure.

Mr. Chairman, our opposition to the Fugitive Law is based upon the soundest principles of ethics and of law, as well as the dictates of the common sense of mankind. While the Southern men are thus seizing Northern freemen, enslaving and brutalizing them, they turn round and call on us to leave our employments, give chase, and arrest and return their fugitive slaves. While violating our National Compact in its most vital features, they ask us not merely to observe and keep our stipulations, but to go far beyond our covenants to uphold their slavery. Now, sir, these Southern men have no claim whatever on us to observe the compact, while they disregard and trample upon it. Such are the dictates of Law, and of Justice, and of the Common Sense of Mankind. A compliance with such demand would constitute us the mere subsidiaries, the appendages, of Southern slavery. This feeling has thus far been suppressed by our intelligent people, hoping that Congress would relieve them from the position in which they have long been placed. If this Fugitive Law be kept in force, and Congress shall exert its power and influence to degrade our people, I, sir, will not predict the consequences. They may be read in our past history. One thing may be regarded as admitted truth—while Ohio Freemen are held in Southern chains, the people of the northern portion of that State will not arrest, nor return, fugitive slaves. I speak for no other portion of the country. But the South and the North, the East and the West, may understand, that, while the inhabitants of our State shall be held in slavery, (and there are many there,) few, *very few*, slaves will return to bondage from that section of country where I reside.

Sir, suppose a man born among us, educated in our schools, baptised in our churches, professing our religion, but who has been seized and held in Southern slavery, should make his escape, and revisit the scenes of his birth and childhood; but, while quietly and peaceably among us, the baying of human bloodhounds should be heard upon his track, and the whole army of slave-catchers, including certain high dignitaries who procured the passage of the Fugitive Law, should be seen coming in hot pursuit, with handcuffs, and chains, and fetters, prepared and clanking in their hands—do you, sir, think they would take him, and fetter him, in the presence of our people, and drag him back to a land of sighs and tears? Sir, if the President, or members of this body, or that class of clergymen who are preaching that obedience to this law is a religious duty, believe this can be done, they had better study the character of our population more thoroughly.

Under that law, such cases may frequently occur; and whether there be a neighborhood north of Mason and Dixon's line, where such a freeman can be taken back to a land of whips and chains, I leave for others to judge; I will not argue the point.

But the President is not satisfied with quoting the words of the Constitution; he closes the paragraph with the following sentence:

"You, gentlemen, and the country, may be assured, that to the utmost of my ability, and to the extent of the power vested in me, I shall at all times, and in

all places, take care that the laws be faithfully executed."

This language is understood by the House and by the country. No one can mistake its import. It is the language of menace—of intimidation. He distinctly avows that, "*to the extent of the power vested in him, he will see*" this infamous law executed. The power of the army and the navy is vested in the President. This power he assures us will be used to shoot down Northern freemen, if necessary to enforce this law. This attempt at menace is unworthy of the President. It is unbefitting his station. I feel pained while contemplating the position in which the President has thus placed himself. No language could have been more destructive to his influence. This taunting menace should never have been addressed to freemen—to men who understand the Constitution and know their rights. I have shown some reasons why our people of Northern Ohio will *not obey that law*. The President may speak to them of the "*power vested in him*"—of the army and navy; and he may tell them that he will use the whole military power of the nation at all times and in all places to enforce this detestable law; but, sir, they will hurl back defiance both at him and his army. He may send his troops—his Swiss guards of slavery; he may put all the machines of human butchery in operation; he may drench our free land with blood; he may entitle himself to the appellation of a second "HAYNAU;" but he will *never compel them to obey that law*. They will govern themselves. They will obey every constitutional enactment; but they will discard and repudiate this Fugitive bill. I speak what I feel before God and man. I speak what every enlightened statesman must feel and admit, when I say that no free, enlightened, and independent people ever was, or ever will be, governed by the bayonet and the sword. No, sir. I will say to the President with all kindness, but with unhesitating confidence, *our people will never be compelled by the bayonet or the cannon, or in any other manner, to lend any aid or assistance in executing that infamous law; NOR WILL THEY OBEY IT*. The President should have learned ere this that public sentiment, with an enlightened and patriotic people, is stronger than armies or navies; that he himself is but the creature of the people's will—their servant—elected to execute their purposes. In the enactment of this law, their feelings were not consulted, their honor was disregarded, and their wishes were treated with scorn. Sir, a large portion of the Northern people were not represented in this body at the passage of that law. Their servants fled from this Hall, and left the interests, the rights, and the honor of their constituents to be disposed of by slaveholders and their obsequious allies. This law "*was conceived in sin, and literally 'brought forth in iniquity'*" It is due to our Southern friends that we should inform them distinctly that the law *cannot and will not be enforced*. Our people, sir, know what constitutes law. This enactment I call a law merely for convenience, because our language furnishes no proper term in which to characterize it. It has the form, but is entirely destitute of the spirit—the essence of law. It commands the perpetration of crimes, which no human enactment can justify. In passing it, Congress overstepped the limits of civil government, and attempted to

usurp powers which belong only to God. In this attempt to involve our people in crimes forbidden by inspiration, by every impulse of humanity, and to command one portion of the people to wage a war upon another, Congress was guilty of tyranny unexampled. This enactment is beyond the power, outside of the duties, of human government, it imposes no obligation to commit the crimes it commands, it can justify no one for committing them. For this reason, the people *will not obey it*. Nor is this doctrine new, either in theory or in practice. In every State of the Union statutes have been enacted which never have been and never could be enforced. They are so opposed to the public sense of justice and propriety, that they remain a dead letter from the day of their enactment. Congress has enacted many such laws, which no President ever could or ever will enforce. This Fugitive Law must be repealed, or, if it remain unrepealed, it will remain a dead letter. Of the fifteen thousand fugitives in the free States, probably not ten have been returned to bondage, and I doubt whether ten more will ever be returned.

Mr. Chairman, I now wish to call the attention of the House to the assertion of an important principle in which I most heartily concur. The President says:

"Every citizen who truly loves the Constitution, and desires the continuance of its existence and its blessings, will resolutely and firmly resist any interference in those domestic affairs, which the Constitution has clearly and unequivocally left to the exclusive authority of the States."

This, Mr. Chairman, is the doctrine of the Constitution, the doctrine of its framers. It is the doctrine of the Free-Soilers. If there be any one feature in the Constitution, which the whole history of its adoption has made plain, it is that slavery is a State institution, over which Congress has no control—with which this Federal Government has no legitimate powers to interfere. We, sir, of the North, will not be constrained, even by your Fugitive Law, to interfere with it. The slavery of Virginia belongs to her. If she possess the power and the disposition to uphold it, we cannot put it down or abolish it. If she sees fit to abolish it, we have no power to interfere to sustain it.

I have often defined the views of anti-slavery men and of Free-Soilers on this subject—others have often done it; yet we are misapprehended and constantly misrepresented. That clause of the Message now under consideration was intended to impute to us a purpose, a desire, to interfere with Southern slavery. That idea, false and unfounded, has been asserted and reiterated for years. The President should have been better informed. For the hundredth time I repeat that Congress nor this Federal Government have any more power to interfere with the slavery of the Southern States than they have with the serfdom of Russia. The slave States hold their "peculiar institution" as independently of this Government as Russia holds her serfs. Again, sir, this Government possesses no more right to involve the people of the North in the support of Southern slavery, than it has to involve us in the support of Russian serfdom. Congress possesses no more power nor right to make us the catchers of Southern slaves, than of Russian serfs.

These were the views and feelings of those who

framed the Constitution. They never dreamed of making us the catchpolls for Southern slave-hunters.

Nothing could have been further from the thoughts of those who framed the Constitution. In that Convention, Mr. Gouverneur Morris said that "he never would concur in upholding domestic slavery." So say I, and so say our people of the North. We never will concur in upholding that institution. Mr. Morris added: "*It is a nefarious institution. It was the curse of Heaven upon the States in which it existed.*"

So we say. It is a curse upon those States, but the curse is *theirs*, not ours, and we will not share in it. Your fugitive law shall not compel us to share in it. Our fathers would not consent to be involved in its crimes—we will not.

Mr. Gerry of Massachusetts said: "While we have nothing to do with slavery in the States, we should be careful to lend no sanction to it." Sir, we will lend no sanction to it, nor shall your fugitive law compel us to sanction it. Mr. Dickinson "thought it a proper subject for the General Government to interfere with, as it *affected our national happiness.*" But Southern members resisted this proposition. They would give to the Federal Government no powers to interfere with slavery, for any purpose.

But I desire to come more directly to the clause relating to fugitive slaves. When the committee reported the draft of a Constitution, it contained the clause for the arrest and return of fugitives from justice, as it now stands. They were to be delivered up by the Executive of the State to which they should flee; and this was to be done, also, at the expense of such State. While this report was under consideration, Messrs. Butler and Pinckney of South Carolina moved to amend it so as to "*require fugitives, slaves, and servants, to be delivered up like criminals.*"

Mr. Wilson of Pennsylvania said "This would oblige the Executive to do it at the *public expense.*"

Mr. Sherman of Connecticut "saw no more propriety in the public seizing and surrendering a fugitive slave or servant *than a horse.*" And on these suggestions Mr. Butler withdrew his proposition. These facts were recorded by Mr. Madison; and no stronger evidence could have been left of the intention of the framers of the Constitution to save the freemen of the North from all expense, and guilt, and disgrace, of arresting fugitive slaves. The clause for the return of fugitive slaves, as it now stands, was subsequently adopted, with the concurrence of Mr. Wilson and of Mr. Sherman. It provides, that the State to which the slave flees shall not, by any law or regulation, *release him from labor.* "Non-interference," between the master and slave, was their intention, their ulterior design. The last member of the sentence says of the slave, he "*shall be delivered up on claim of the person to whom such service or labor may be due.*" This language has been understood by some as rendering action necessary on the part of the people of the State to which the slave may have fled. This construction is opposed to the whole spirit of the Constitution. Every reader will see at once that such obligation is not imposed upon the Governor, nor upon the people of the State, nor upon any individual. The Supreme Court has given a construction to

this language which is in accordance with the intention and object of the framers of the Constitution. We are to deliver up the fugitive slave as we deliver up our friends to the civil officer. We are bound to permit the master to arrest and carry back the slave, in the same manner that we permit the civil officer to seize our friends, under process, and take them to prison.

And such was the law of 1793. It followed the Constitution. It saved the master from interruption while pursuing his slave. It provided fines and penalties against any person who, disobeying the constitutional compact, should secrete or defend or rescue the slave. There the law of 1793 stopped. It went no farther. It gave the master no process under the seal of your courts, by which to arrest his slave. It commanded no officer of this Government to aid the master in making such arrest. No powers of this Government were prostituted to such degrading purposes. "*Non-interference*" between the master and slave was the rule by which that whole law was framed. And it is to the honor of the Supreme Court that, in their construction of the Constitution and of the law, they have carried out this view. They have adopted the very idea of Mr. Wilson and Mr. Sherman. They declare the right of the master to recapture his slave to be the same as his right to take his property which strays into a free State. They construe our duties, to *deliver up* the fugitive slave, to be the same as to deliver up the stray horse. If the horse or the slave come among us, we permit the owner or master to take him. But in neither case can the owner or master call on us to catch the slave or the horse.

Neither the law of 1793, nor the Constitution, contemplated the organization of Northern freemen into a constabulary force for catching negroes. Nor did it give the master a guard and assistance to carry back his slave at the *expense of the nation.* Such provisions could never have been approved by Washington, who signed the law of 1793, nor by his associates who had aided in framing the Constitution, and who also voted for that law. They understood their constitutional duties.

All who read this message must see that the only interference with slavery which the President professes to deprecate, is that which tends to *loosen* the chains of bondage; he appears to have no objection to that interference which rivets them closer. Could he have believed that the intelligent freemen of the North would fail to detect the palpable contradiction between that portion of the Message which deprecates interference with slavery, and that which urges the continuance of this law, which was enacted for the very purpose of interfering in support of that institution?

Could any interference have been more direct and palpable than that which makes it the duty of the deputy marshal or commissioner, under a heavy penalty, to exert his utmost powers to arrest the fugitive? Which gives him authority to call the whole power of the State to assist him? Which "*commands all good citizens to aid and assist in the prompt arrest and return of the trembling slave?*" This interference the President approves. It rivets tighter the chains of bondage, while we are all aware that he disapproved our efforts to

exclude slavery from the free territory of New Mexico. But this law goes farther; it not only attempts to strike down God's law, which commands us "to feed the hungry;" but it attempts to convert every freeman of the North into a savage. If a fugitive from oppression reaches my door amid the ragings of the storm, half clad, and benumbed with cold, fainting, and weary, sick and in distress, and asks to warm himself by my fire, this law interferes, and forbids me, under heavy pains and penalties, to comply with his request. If I obey the law, I must drive him from my door to perish with hunger and cold. If I receive him to my habitation, warm him by my fire—if I feed him, and give him drink, and restore him, so that he pursues his journey and escapes, I am subjected, under this law, to a fine of one thousand dollars and to six months' imprisonment. This law the President approves, and advises us to *continue in force*. This practice he sustains, and asks us to uphold. I reply, in his own language: "*Every citizen who truly loves the Constitution will resolutely and firmly resist the interference which this law enjoins.*"

Sir, our people will continue to feed the hungry, to clothe the naked, to visit the sick, and to relieve the oppressed; and no interference of this fugitive law will prevent this compliance with the dictates of our religion, with that law which came from God himself, and which no enactment of slaveholders and doughfaces can repeal or nullify. I speak for no one but myself and constituents; others will choose whether to obey God or the oppressors of mankind; but as for us, we will obey that higher law of kindness, benevolence, and humanity, which was implanted in the breast of every human being, and written upon the hearts and consciences of mankind, by the finger of our Creator.

Mr. Chairman, the doctrine of "Non-Interference with Slavery," laid down by the President, is at war with every provision of this fugitive law. If we maintain that doctrine, this law must remain a dead letter upon our statute book. He who sustains this doctrine must disobey the law; for the Constitution and this law are antagonisms—at war with each other. If we adhere to one, we must discard the other. My constituents will maintain the Constitution, while they will hold this law in contempt. Sir, from the adoption of the Constitution until 1841, never was this doctrine of "non-interference between master and slave" denied by the Executive. At that time, the present Secretary of State, in a correspondence with our Minister at London, substantially avowed it to be the duty of this Government to protect Southern slave-dealers while pursuing their vocation. This doctrine, coming from a Massachusetts man, inspired his successor (Mr. Upshur) to maintain the same principles, while advocating the annexation of Texas in 1843. Up to 1841, I repeat that "non-interference between master and slave" was the doctrine of the North and of the South, of Whigs and of Democrats.

It is true that our slaveholding Presidents at times lent their powers *silently* to uphold slavery; but no officer of Government ever *avowed* it the duty of Congress, or the Executive, thus to interfere, until the present Secretary of State put forth that construction in 1841. I repeat that,

from the day of adopting the Constitution until A. D. 1841, the doctrine of "non-interference with slavery in the States" was never denied, to my knowledge, by any public man of this nation; and no member of this body ever attempted to overthrow it by argument, until the last session of Congress. To the gentleman from Georgia, [Mr. TOOMBS.] not now in his seat, belongs the honor of being the member of this House who boldly and publicly demanded that the powers and energies of this Government should be prostituted to the support of slavery. The President and his Cabinet may adopt this new theory—but the People of the North will repudiate it.

The Message further says: "*The law is the only sure protection of the weak, and the only efficient restraint upon the strong.*" This, sir, is said with direct reference to this fugitive slave law, to induce the People to execute it. It would seem that the President intended to see how far he could impose upon the intelligence of the public. Sir, what protection does this law lend to the poor, weak, oppressed, degraded slave, whose flesh has often quivered under the lash of his inhuman owner, whose youth has been spent in labor for another, whose intellect has been nearly blotted out? When he seeks an asylum in a land of freedom, this worse than barbarous law sends the officers of Government to chase him down—to carry him back to chains and suffering. The People are constrained to become his pursuers. Famishing and fainting, he drags his weary limbs forward, while the whole power of the Government under the President's command, the army and navy, and all the freemen of the land, are on his track, to drag him back to bondage, under this law. And this law, the President tells us, is the only sure protection to that miserable slave. Does the President intend to insult our intelligence? Or did he mean to insert in this grave document a satire upon this barbarous law?

Sir, there is not a man in this body, there is not an intelligent man in the free States, but knows, if he delivers a fugitive into the custody of his pursuers, that he will be carried back and sold to the far South; and, ordinarily, his life will be sacrificed in five years, if employed on the sugar plantations, and in seven years on the cotton plantations. The men of the North look upon this as murder, and would as soon turn out and cut the throat of the defenceless negro as to send him back to be scourged to death. As soon would they do this as comply with a law which violates every principle of humanity, and consigns the fugitive to a lingering death by a slow torture of five or seven years. The common law holds him who aids in a murder as guilty as he who strikes the knife to the heart of the victim. Under our law, a man is hanged if he fails to prevent a murder when it is plainly within his power to do so. Such a man is held guilty of the act, and he is hanged accordingly.

And will any one suppose that he who assists in arresting and sending a fugitive slave to torture and death, will be less guilty than he under whose lash the victim expires?

Sir, I have compared this capture of a fugitive to a common murder. In doing that I do injustice to the common murderer. To capture a slave and send him to the South to die under a torture of

five years, is far more criminal than ordinary murder, inasmuch as it adds the guilt of torture to the crime of murder.

Sir, we will not commit this crime. Let me say to the President, no power of Government can compel us to involve ourselves in such guilt. No! The freemen of Ohio will never turn out to chase the panting fugitive—they will never be metamorphosed into bloodhounds, to track him to his hiding-place, and seize and drag him out, and deliver him to his tormentors. They may be shot down; the cannon and bayonet and sword may do their work upon them; they may drown the fugitives in the blood of freemen; but never will freemen stoop to the degradation of catching slaves.

Let no man tell me there is not a higher law than this fugitive bill. We feel there is a law of right, a law of justice, of freedom, implanted in the breast of every intelligent human being, that bids him look with scorn upon this mis-called law.

Sir, I was about to make some comparisons, but perhaps they may be regarded as indelicate. I, however, shall not hesitate to speak truth. During last summer, two distinguished gentlemen of the same name occupied much of the public attention. One was said to have committed murder, and the other to have procured the passage of this law. One was hanged for his crime; the other, for his efforts, taken to the Executive Cabinet. One destroyed the life of an individual, the other contributed his influence for the passage of this law, which, if executed, must consign hundreds, perhaps thousands, to premature graves. I, sir, cannot speak for others; but for myself, I would rather meet my final Judge with the guilt of him who has gone to his last account resting upon my soul, than that of him who sits in yonder Cabinet. Sir, do you, or does any one, conceive that it is less criminal to take the life of one of those fugitives than it would be to slay any other individual? Is not he who gives his voice and influence from yonder Cabinet, for the murder of those people, as guilty as he would be to lend his voice and influence for the murder of others? Shall men in high stations, from ambitious, from corrupt motives, lend themselves to the degradation, the destruction, of hundreds, nay, thousands, of human beings, and yet be shielded from animadversion by their political position? Has it come to this, that place and power are to be regarded as exempting their occupants from moral guilt, from responsibility both here and hereafter?

An idea appears to exist in some minds, that obedience to an act of Congress, however criminal that act may be, cannot involve the person who thus obeys the law in any moral guilt. In other words, they appear to think that if under this Fugitive Law they drive the famishing slave from their doors to perish with cold and hunger, or if they seize him, place the fetters upon his limbs, and drag him to bondage to be massacred under the lash, to be murdered by slow torture, they will, when called to their final account, plead this enactment in bar of OMNIPOTENT JUSTICE.

That kind of theology I leave to those teachers who preach sermons and write pamphlets and newspaper essays in defence of this law—to those divines who hold that *we*, the members of Congress, possess the power to step between God and our fellow-creatures, and authorize them to disre-

gard His command and to commit crimes at which all the feelings of our nature revolt. Such teachings may have been received as orthodox in the *ninth*, but they will be rejected in the *nineteenth* century.

Why, sir, no man, not even the slaveholders, will deny that the fugitive himself has the same natural and inalienable right to his liberty that either of us possess; that it is his duty to maintain and defend that right whenever it shall be in his power to do so; that it is his duty to escape if he can; that if while making his way to a land of freedom the master interpose, and he has no other possible way of escape than to slay his master, he is bound by every obligation to himself and his offspring to resort to that extremity. He has no right tamely to surrender up the liberty with which God has endowed him, and to consign his offspring in all coming time to degrading servitude. Our people so advise the fugitives; and the fugitives are generally armed, and prepared to receive their pursuers; and I am informed that one of them, when hard pressed recently, shot one of those human bloodhounds dead, and wounded another, and then went on his way. Sir, *we all feel that he did right—that we would have done the same thing had we been in his situation.*

Some months since, there were said to be fifteen thousand fugitives from labor within the free States, including men, women, and children; many of them were born and educated among us. These men with their wives and their little ones were in the enjoyment of domestic life. Most of them had acquired or were in the way of obtaining sufficient real and personal property to insure them the necessities, and even many of the luxuries, of life. They were educating their children, and becoming intelligent and useful members of community. Many of them belonged to our various churches, and maintained an orderly and Christian deportment.

Against these inoffensive people, the President and Congress have waged a barbarous and unrelenting war. We have required our officers and the freemen of the North, when called on, to seize them; to drag them from their firesides, their homes, their friends, their schools and churches, their lands, and their flocks and herds; to separate husbands and wives, parents and children, and consign them indiscriminately to all the horrors of slavery and of the slave trade. I hesitate not to say that for its barbarity that law is unequalled in the history of civilized legislation. Is there a reflecting man who will pretend that this barbarous enactment imposes upon those people any moral duty to obey it? Will preachers of righteousness tell them to submit, to let the slave dealer rivet the chains upon the father, tear the mother from her children, and doom her to a life of wretchedness? Will such preachers advise the daughter peacefully to surrender herself into the hands of slave-hunters, and submit to a life of pollution and shame? And will such men be called promoters of holiness and purity? I trust there are few such teachers in this American land. Sir, all good men must detest this law. God has no attribute which will permit him to look upon it except with abhorrence.

Yet the President assures us that it ought not to be repealed; that it should be kept in force; that these outrages should and ought to continue;

that he regards this law as a *final* settlement of the slave question; and that it is wrong further to agitate the subject. Vain advice. Agitation will never cease until the law ceases. While such crimes are authorized by statute, the American people will not keep silence.

The President, referring to the bill surrendering to Texas and to slavery fifty thousand square miles of free territory, and paying her ten millions of dollars, and that allowing slavery to be extended over New Mexico and Utah, and to this Fugitive Law, says: "I believed those measures to have been *necessary*, and required by the circumstances and condition of the country."

I rejoice, Mr. Chairman, that he has boldly avowed this fact. Nearly the whole North believed that he was in heart and conscience opposed to this bill. Almost every Whig press in the North said plainly that the President did not favor this bill, but that he was coerced—that he signed it by compulsion. That it was the Whig doctrine concerning the veto that compelled him to sign it. The President's views are now before the country, and he avows his position manfully. He places himself upon this law; and here I wish to say to the House, that from this time we all know where the President is. *He is in favor of continuing this law*; he not only places himself there, but his Administration and his party must stand or fall by this law. I rejoice at it! They must sink or swim, live or die, stand or fall, with this enactment. We now know where to find the supporters of slavery and the advocates of freedom. Every man throughout the whole country, at the North and South, may now take his position, knowingly, with a full knowledge of the character of the party with whom he acts. Those that support this law must consent to obey it and to enforce it, to the letter.

There is no lingering doubt, no difficulty, no obscurity, resting on the party who supports this Administration. All the Whigs throughout the country, (and I speak it with some degree of feeling, for I once had the pleasure of acting with them, when they had principles; then we avowed and acted upon the doctrines I have stated to-day)—all the Whigs throughout the country must now feel that their unity is gone. They see that the party has departed from its doctrines and principles, and has descended, step by step, from its former position, until the remnant has literally become a slave-catching party.

The President informs us that these measures "were adopted in a spirit of conciliation, and for the purpose of conciliation." "I believe," says he, "that a great majority of our fellow-citizens sympathize in that spirit and that purpose, and in the main approve it." Sir, where does the President find this evidence of approval in the popular mind? Does he draw his conclusions from the result of the elections in Delaware, New Jersey, or Ohio?

That third State of the Union has separated itself forever from all men and all parties who would involve our people in the support of slavery, or degrade them by sustaining your Fugitive Law. Does the President find consolation in the voice of the "Peninsular State," as lately expressed through the ballot box? Or can he take pleasure in referring to the election in Wisconsin, or when he examines the result of these

measures in his own State? Or has the demonstrations in Massachusetts inspired him with confidence that the popular mind is in favor of this law?

Methinks that as he looks over the newly made graves of his political friends, and counts their number, and reflects upon that political chrysera which has cut down so many of his supporters and advocates of this law, he might have doubted its popularity. Many gentlemen in this Hall, who so boldly stood forth in the pride of their political manhood a few months since, and voted for these measures, are now doomed to a speedy departure, and the places that now know them, shall know them (politically) *no more*. To those gentlemen the language of the President can bring but poor consolation.

The public meetings of the people of all parties throughout the free States, the spirited resolutions which they have sent forth, are but feeble manifestations of the popular mind. Throughout the North, where free schools have been encouraged, and education has become general, where newspapers circulate and intelligence is disseminated, there public sentiment is loud in condemnation of this law. This feeling is increasing and extending, and rolling forward and gaining strength and impetus, and will continue to do so until that law shall be repealed and numbered among the things that were.

Sir, if the President will look at the statute lately enacted by the Whigs of Vermont, he will be able clearly to read the "*handwriting upon the wall*." The people have weighed this law in the balance, and it is found wanting.

Near the close of his Message, the President says:

"I cannot doubt that the American people, bound together by kindred blood and common traditions, still cherish a paramount regard for the Union of their fathers; and that they are ready to rebuke any attempt to violate its integrity, to disturb the compromises on which it is based, or to resist the laws which have been enacted under its authority."

As to the "Union of our fathers, I venerate it. There is something pleasing and solemn in the recollection of that Union—in the history of its formation, and the difficulties and dangers which surrounded it. But it is now nearly half a century since that Union ceased to exist. The prospect of commercial advantages induced us to abandon it, and form a new one with Louisiana. Then, sir, we abandoned it, and took Florida to our embrace. Then, to extend and perpetuate slavery, we abandoned that Union, and brought in slaveholding Texas, assuming her war, and carrying devastation, rapine, and bloodshed, to the heart of Mexico, in order to extend slavery. And, to cap the climax, you have passed this fugitive law, and made the citizens of Ohio and of all the free States the catchpolls to Texan slave-hunters.

It is not to be disguised that the people of the free States feel less attachment to Texas than they did to the old thirteen States. We are not bound to them by common traditions. The Mexicans and Spaniards and other foreigners of that State shared not in the toils nor the dangers of our Revolution, nor in those of our second war of Independence. The arrogant and supercilious manner in which Texas threatened to drive our

army from New Mexico, and to dissolve the Union, has not served to strengthen the cords of affection which should have bound us together.

But neither the President nor any other person will charge the North with disloyalty to the Union. But that portion of the sentence just quoted, which refers to the "attempts to disturb its compromises," was intended to refer to those political friends with whom I act.

Sir, those compromises left us entirely free from the support of slavery. By the passage of this fugitive law, those compromises have been disturbed, and the people of the North involved in the degradation and guilt of sustaining slavery; and, sir, in the language of the President, "they are ready to rebuke" those who have thus disturbed the compromises—and they will rebuke them. Our people, too, will resist by every constitutional means the execution of that law.

This practice of attempting to sanctify every enmity in legislation by referring to the "*Union of our fathers*," has become very common among a certain class of politicians; but I did not expect to meet with it in the Message of the President. It does not comport with the dignity of such a paper. It is almost as much out of place as it would be to appeal to the loyalty which our fathers anciently bore to the British crown. The Union of our fathers was adopted as the best means of preserving the liberties, and promoting the happiness of the people. It was abandoned for the same purpose. Even our Union with Texas was framed for that avowed object. A majority of Congress thought and believed that it would increase the wealth and the happiness of the people. For the same purpose we waged a war with Mexico, and conquered another vast territory, and brought another State into the Union. The Union now existing will be retained so long as the great mass of the people shall regard it as conducive to their interests and happiness. Yet, whenever they shall be convinced that it subserves the cause of oppression, that it has become an instrument for degrading themselves, another revolution will take place, and they will lay it aside, as our fathers did their union with England. They feel as the patriots of that day felt, that "whenever any form of Government shall fail to sustain the self-evident truth that all men were created equal, and are entitled to the enjoyment of life and liberty," it is the right of the people to lay it aside, and to "adopt a new form of Government, basing its action upon such principles as shall best promote their interests and happiness."

But this cry of "danger to the Union" is becoming understood by the people. "To save the Union," we annexed Texas; "to save the Union," we paid her ten millions of dollars; "to save the Union," fifty thousand square miles of territory which had been consecrated to freedom by Mexico, and conquered by our arms, were delivered over to Texas and to slavery; "to save the Union," the people of the free States have been compelled to become slave-catchers; and we are now told that, "to save the Union," this infamous law must be kept in force; "to save the Union," we must drive the famishing, weary, fugitive from our doors, or seize him and send him back to his prison house of bondage. Sir, it has come to this: the cry of "danger to the Union" is now resorted to

for the purpose of justifying every outrage upon the people of the North, which the Slave Power demands. Under this cry, meetings are called in your commercial cities, and resolutions adopted to "*suppress agitation among the people*." And the Secretary of State, and distinguished Senators, write letters "*to save the Union*." Dinners are eaten, and wine drunk, and speeches made, "*to save the Union*." For the same purpose, the Secretary of State votes against the candidate of his own party, and a distinguished Senator from a Western State threatens to leave the Whigs, with whom he has acted from early life.

Sir, this clause of the Message has reference to that new party which is already in process of formation, and which is to be based upon the doctrines of this Message—upon the policy of continuing in force this Fugitive Law—the laws that sustain the slave trade upon our Southern coast, and in this District—and of opposing all efforts to exclude slavery from our Territories and from the District of Columbia. In short, sir, this new party is to oppose all attempts to separate the people of the free States and this Government from the support of that institution.

I, sir, rejoice at the prospect of seeing every public man, and every elector of the nation, take his position either for Freedom or for Slavery. The President has come out boldly and manfully on the side of oppression, in favor of compelling the people of the North to become the catchers of Southern slaves. He calls on his friends to take position with him. They will do so. We shall soon have but two political parties. One will contend for the emancipation of the free States and this Government from the control of the Slave Power; to restore vitality to the Constitution; to give that instrument effect; to maintain the rights of all the States under it; to secure all men under our exclusive jurisdiction in the enjoyment of life, liberty, and happiness. With Mr. Morris, and those who assisted in framing the Constitution, that party "*never will concur in upholding domestic slavery*." With Mr. Gerry, "*while they have nothing to do with it in the States, they will lend no sanction to it*." With Mr. Sherman, they "*can see no more propriety in seizing and surrendering a fugitive slave than a horse*."

With these framers of the Constitution the party of Freedom will stand. These principles they will maintain and carry out; they will separate and purify themselves from the sin and the shame of Slavery; they will redeem this Government from its support; they will leave it within the States where it exists. The judgment and conscience of the people are with us; they know our doctrines to be correct. The popular heart beats for freedom. Party prejudices are giving way. Truth is doing its legitimate work. A great political revolution is going forward. No partisan influence can stay its progress. The history of the last few months and years must bear to every reflecting mind a consciousness that the principles of justice, of righteousness, of humanity, must triumph. The moral sentiment of the nation demands the repeal of those acts of Congress which authorize and enjoin the commission of crimes. *They will be repealed*, and the Government will be redeemed from its present position, and its laws and influence will be exerted for the benefit, for the elevation of man.